

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

January 20, 2006

In the Matter of
Chuck Lagasse, Newburyport
Waterside Group, and
Rear 49 Water Street Nominee
Trust

DALA Docket No. DEP-05-859
DEP Docket No. 2005-111
File No. 051-0682
Newburyport

FINAL DECISION

I have reviewed the attached Settlement Agreement signed by Charles Lagasse, for the applicant, Newburyport Waterside Group and Rear 49 Water Street Nominee Trust on December 9, 2005, by Bruce Herman, for the present property owner, Newburyport Manager, LLC, Trustee of the 51 Rear Street Nominee Trust on December 9, 2005, by Robert Higgins, for the petitioner, 51 Water Street Nominee Trust on December 8, 2005, by Tracy Peter, for the Newburyport Conservation Commission on December 1, 2005 and by Richard Chalpin, for the Department on December 30, 2005.

The Department issues this final decision incorporating the Settlement Agreement and the attached Final Order of Conditions, which I have also reviewed.

Under the terms of 310 CMR 1.01(8)(c), this proceeding under M.G.L. c.131, § 40 is dismissed, with the parties waiving whatever rights they may have to further administrative review before the Department as well as any appeal to court.

**This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.**

Robert W. Golledge, Jr.
Commissioner